

REMARKS

This application has been carefully reviewed in light of the Office Action dated January 25, 2005. Claims 1-9 remain pending in this application. Claims 1 and 9 are the independent claims. Favorable reconsideration is respectfully requested.

On the merits, the Office Action rejected Claims 1 and 9 under 35 U.S.C. § 102(b) as being anticipated by Kobayashi et al. (U.S. Patent No. 4,694,453; hereinafter "Kobayashi"). The Office Action objected to Claims 2-8 as being dependent upon a rejected base claim. Applicants respectfully traverse the above rejections for at least the following reasons.

Kobayashi recites a time-division multiplexing telephone network with a central station and a plurality of local stations that transmit a test signal within a frame in order to adjust the transmission timing of information signals.

Kobayashi fails to recite or suggest a "test signal generator which delivers a test signal outside the assigned time slot" as recited in Claims 1 and 9. Kobayashi recites in Figures 2B & 4 and Col. 3, lines 42-46 that "a local station sends a test signal during the window period within one-frame period." Local stations 2a-2n in Kobayashi transmit the test signal as a subframe within the one-frame period (the assigned time slot) as opposed to Applicants' network nodes that transmit outside the assigned time slot. (see Kobayashi Col. 4, lines 3-7 and Col. 6, lines 47-51). Thus Applicants respectfully traverse the § 102(b) rejection of Claims 1 and 9 over Kobayashi, because the reference fails to recite or suggest every limitation of Applicants' Claims 1 and 9.

Furthermore, Kobayashi fails to recite or suggest a network node and test signal detector that "detects that there is a defective circuit portion in the assigned network node and/or in at least another network node" as recited in Claims 1 and 9. Kobayashi recites at Col. 2, lines 11-14 that "each local station measures transmission delay time between itself and a central station

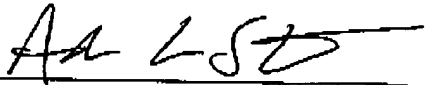
and adjusts the transmission timing of a signal to be transmitted to the central station." Local stations 2a-2n in Kobayashi, as depicted in Kobayashi Figures 1 and 7, adjust the transmission timing of information signals within the network based on measured delay time (see Kobayashi Abstract) and do not "detect that there is a defective circuit portion in the assigned network node and/or in at least another network node" as recited by Applicants' Claims 1 and 9. Thus Applicants respectfully traverse the § 102(b) rejection of Claims 1 and 9 over Kobayashi, because the reference fails to recite or suggest every limitation of Applicants' Claims 1 and 9.

Claims 2-8 depend from independent Claim 1 discussed above and are believed patentable for at least the same reasons. Applicants respectfully believe Claims 2-8 to be independently patentable and request separate consideration of each claim.

Applicants appreciate the Examiner stating that Claims 2-8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the currently pending claims are clearly patentably distinguishable over the cited and applied references. Accordingly, entry of this amendment, reconsideration of the rejections of the claims over the references cited, and allowance of this application is earnestly solicited.

Respectfully submitted,

By 
Adam L. Stroud,
Reg. No. 48,410
Attorney
(408) 474-9064
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